



## MEMORANDUM

Harvey Ruvlin  
Clerk of the Circuit and County Courts  
Clerk of the Board of County Commissioners  
Miami-Dade County, Florida  
(305) 375-5126  
(305) 375-2484 FAX  
www.miami-dadeclerk.com

TC

Agenda Item No. 6(B)

---

TO: Honorable Chairperson Dennis Moss  
And Members of the Transportation  
Committee

DATE: January 15, 2004

FROM: Kay M. Sullivan, Director  
Clerk of the Board

SUBJECT: Approval of Commission  
Committee Minutes

---

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Transportation Committee:

July 17, 2003

Attachment  
KMS/js



Stephen P. Clark  
Government Center  
111 N.W. 1st Street  
Miami, FL 33128

# CLERK'S SUMMARY OF Meeting Minutes Transportation Committee

Dennis C. Moss (9), Chairperson; Bruno A. Barreiro (5); Vice Chairperson;  
Commissioners Jose "Pepe" Diaz (12), Betty T. Ferguson (1), Joe A. Martinez (11), and  
Jimmy L. Morales (7)

---

**Thursday, July 17, 2003**

**2:00 PM**

**COMMISSION CHAMBERS**

---

**Members Present:** Bruno A. Barreiro, Betty T. Ferguson, Joe A. Martinez, Jimmy L. Morales, Dennis C. Moss.

**Members Absent:** Jose "Pepe" Diaz.

**Members Late:** None.

**Members Excused:** None.

---

**1A     INVOCATION**

**1B     PLEDGE OF ALLEGIANCE**

## 1C ROLL CALL

**Report:** *In addition to the Committee members in attendance, the following support staff were present: Assistant County Managers Bill Johnson, Tony Crapp, Sr.; Assistant County Attorneys Tim Abbott, Robert Cuevas, Abigail Price-Williams, Craig Collier, David Hope, Gerald Sanchez; and Deputy Clerks Diane Del Carpio and Jovel Shaw.*

*Assistant County Attorney Abigail Price-Williams indicated in addition to the County Manager requested changes to the Transportation Committee Agenda, the following changes were being requested: the addition of Agenda Items 1F7 Supplement, 3B Supplement and 3BB, withdrawal of Agenda Item 1E1, scrivener's errors to Agenda Item 1F1 Substitute on page #10 after the word hospital, the word "and" should be added, and Agenda Item 2A, the word "complete" should read "compete", and deferral of Agenda Item 1F6.*

*It was moved by Commissioner Morales that the Committee approve the County Manager's memorandum entitled, "Requested Changes to the Transportation Committee Agenda", with the additional changes noted by the Assistant County Attorney. This motion was seconded by Chairperson Moss, and upon being put to a vote, passed by a vote of 5-0, (Commissioner Diaz was absent).*

## 1D DISCUSSION ITEM

1D1 032146 Discussion Item

OPTM/MDT BUSINESS PLAN UPDATE

*Presented*

**Report:** *In response to Commissioner Martinez' inquiry regarding the County Manager's recommended budget for Office of Public Transportation Management (OPTM), Assistant County Manager Bill Johnson pointed out the total operating expenditure for OPTM included the current level of staffing. Mr. Johnson stated between now and August 15, 2003, the Manager would put together a team that would analyze the organizational structure and the budget for both OPTM and Miami-Dade Transit (MDT).*

*Commissioner Martinez indicated the \$5 million outlined was strictly for salaries for the 66 positions.*

*In response to Commissioner Martinez' comments, Assistant County Manager Johnson stated the \$5 million was the operating cost for OPTM which included personnel.*

*Chairperson Moss noted his previous request for the creation of the OPTM and MDT business plan to be considered by the Committee. He indicated the intent was to present that plan to the Committee and noted discussions held with the County Manager who was uncomfortable with where the process was now.*

*In response to Commissioner Moss' question pertaining to the status of the business plan, Assistant County Manager Johnson stated the Office of Public Transportation Management and the Miami-Dade Transit was directed by the County Manager to work with Office of Management and Budget, Ms. Corrine Brody, Special Assistant to the County Manager and himself to address organizational issues. He noted that issue was discussed at the Committee level and before the full Board. Mr. Johnson indicated between now and August 15 in a very open process, staff would review the organizational structure that was put in place by the former administration for the pros and cons. He noted the team would also as part of that review how best to implement the overall capital plan in the approximate amount of \$17 billion. Mr. Johnson noted Chairperson Moss' request for an analysis would be part of this work product. He noted in addition, both departments were well within their authorized budget amount and the administration*

4

would implement the business plan. Mr. Johnson pointed out staff would not be looking at next year's budget but also the conclusion of its current fiscal year. Mr. Johnson stated the objective of the County Manager was for staff to submit their recommendations to him by August 15, 2003. He indicated the Manager would then meet with members of the Board before the September budget hearings. He suggested that a Special Transportation Committee meeting could be scheduled for late August or early September before the first budget hearing to discuss this issue.

Discussion ensued among members of the Committee regarding expenses, the possibility of merging both departments to one, the appropriate level of staffing for OPTM, transferring of positions, functions and overlapping between both departments.

Chairperson Moss stated he was not in favor of merging but indicated he was in support of making sure there was no duplication of functions.

## 1E SPECIAL PRESENTATION

1E1 032057 Citizen's Presentatio Bruno A. Barreiro  
SANTIAGO D. ECHEMENDIA, ESQ. ON BEHALF OF J.P.  
AVIATION INVESTMENT INC.

*Withdrawn*  
*Mover: Morales*  
*Seconder: Moss*  
*Vote: 5-0*  
*Absent: Diaz*

**Report:** During consideration of changes to today's agenda, the Committee withdrew the foregoing Citizen's Presentation.

1E2 032125 Report  
ORAL PRESENTATION: FY' 2003-04 BUDGET  
PRESENTATION (County Manager)

*Deferred to next committee meeting*

**Report:** Chairperson Moss requested the deferral of the foregoing report until later in the day.

Later in the day, Chairperson Moss announced the foregoing would not be presented today.

The foregoing item was deferred.

**1F PUBLIC HEARING**

**1F1 032029 Ordinance**

ORDINANCE RELATING TO MIAMI INTERNATIONAL AIRPORT (WILCOX FIELD) ZONING; PROVIDING FOR MINIMUM ZONING STANDARDS, DEFINITIONS, AIRPORT ZONING, ZONE CLASSIFICATION DISTRICTS, HEIGHT LIMITATIONS, LAND USE ZONING CRITERIA, USE RESTRICTIONS, ADMINISTRATION AND ENFORCEMENT, PERMITS, AND NONCONFORMING USES; PROVIDING FOR VARIANCES, EXCEPTIONS, CONDITIONS TO VARIANCES AND APPEALS THEREFROM; REQUIRING DISCLOSURE BY SELLERS OR LESSORS OF RESIDENTIAL PROPERTY LOCATED WITHIN ANY AIRPORT ZONING DISTRICT; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 031194 AND 031465] (Aviation Department)

*Withdrawn*

**Report:** See Agenda Item 1F1 Substitute - Legislative File #032177.

**1F1 Su 032086 Ordinance**

ORDINANCE RELATING TO MIAMI INTERNATIONAL AIRPORT (WILCOX FIELD) ZONING; PROVIDING FOR MINIMUM ZONING STANDARDS, DEFINITIONS, AIRPORT ZONING, ZONE CLASSIFICATION DISTRICTS, HEIGHT LIMITATIONS, LAND USE ZONING CRITERIA, USE RESTRICTIONS, ADMINISTRATION AND ENFORCEMENT, PERMITS, AND NONCONFORMING USES; PROVIDING FOR VARIANCES, EXCEPTIONS, CONDITIONS TO VARIANCES AND APPEALS THEREFROM; REQUIRING DISCLOSURE BY SELLERS OR LESSORS OF RESIDENTIAL PROPERTY LOCATED WITHIN ANY AIRPORT ZONING DISTRICT; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 031194, 031465 AND 032029] (Aviation Department)

*Withdrawn*

**Report:** See Agenda Item 1F1 Substitute - Legislative File #032177.

1F1 SU 032177 Ordinance

ORDINANCE RELATING TO MIAMI INTERNATIONAL AIRPORT (WILCOX FIELD) ZONING; PROVIDING FOR MINIMUM ZONING STANDARDS, DEFINITIONS, AIRPORT ZONING, ZONE CLASSIFICATION DISTRICTS, HEIGHT LIMITATIONS, LAND USE ZONING CRITERIA, USE RESTRICTIONS, ADMINISTRATION AND ENFORCEMENT, PERMITS, AND NONCONFORMING USES; PROVIDING FOR VARIANCES, EXCEPTIONS, CONDITIONS TO VARIANCES AND APPEALS THEREFROM; REQUIRING DISCLOSURE BY SELLERS OR LESSORS OF RESIDENTIAL PROPERTY LOCATED WITHIN ANY AIRPORT ZONING DISTRICT; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 031194, 031465, 032029, AND 032086] (Aviation Department)

*Forwarded to BCC with a favorable recommendation as amended*

*Mover: Ferguson*

*Second: Moss*

*Vote: 3-2*

*No: Barreiro, Martinez*

*Absent: Diaz*

**Report:** *There being no objection, the foregoing proposed ordinance was considered simultaneously with agenda item 1F2.*

*Upon Chairperson Moss' request, Ms. Angela Gittens, Director, Miami-Dade Aviation Department (MDAD), appeared before the Committee to discuss Chapter 333 Florida Statutes that required that local governments develop land use control measures to ensure the protection of air space for public use airports; and that airports were compatible with its noise, operations, and public safety. She noted at the last meeting of the Committee a concern was raised by the Florida Department of Transportation (FDOT) with respect to potential impact of this ordinance on the Miami Intermodal Center (MIC) development. Ms. Gittens stated staff had met with the FDOT and the substitute ordinance addressed their concerns regarding public transportation facility that were excluded from these zoning restrictions along with hotels, motels and hospitals that were also excluded from this prohibition. She noted FDOT desired to include in its Joint Participation Agreement that the MIC would be subject to the zoning restrictions and this proposed ordinance clarified that it would not be subject to the zoning restrictions. Ms. Gittens noted staff had spent a considerable time with the City of Miami and felt staff had addressed those concerns expressed to staff regarding the potential impacts of this proposal to infill development.*

*Mr. Mel Wilson, attorney, Law Firm of Williamson and Sexton, Fort Lauderdale 110 East Broward Boulevard, Fort Lauderdale, representing FDOT,*

Transportation Committee

CLERK'S SUMMARY OF

Meeting Minutes

Thursday, July 17, 2003

---

*appeared before the Committee and thanked members of the Board and County staff for working with FDOT. Mr. Wilson stated the substitutes to the ordinance were acceptable to FDOT.*

*Commissioner Morales noted his concern with the foregoing item was schools and day care centers in infill areas. He noted the concern from the City of Miami to build new schools within the City of Miami, and asked if that had been resolved to their satisfaction.*

*In response to the comments made by Commissioner Morales, Assistant County Attorney Abigail Price-Williams stated the City of Miami concern was resolved and language was added to address their issue.*

*In response to Commissioner Morales' comments regarding a potential public school in the City of Doral that would be in the flight path for MIA, Assistant County Attorney Price-Williams pointed out no discussions has occurred with Doral but copies of the ordinance would be provided to all municipalities including Doral. She indicated staff was offering an opportunity for municipalities to review the ordinance and to bring to staff's attention any issues of concern that they may have.*

*Following further discussion of the proposed ordinance pertaining to schools, Assistant County Attorney Craig Collier pointed out this ordinance would give the opportunity for new schools to be located in the statutory mandated "No School Zone (NSZ)". He indicated that without this ordinance state law prohibits the location of new schools in a NSZ. Mr. Collier stated this ordinance provides for an exception for public safety interest versus the public benefit for schools, and this proposal addresses that issue. He informed members of the Committee renovations and reconstruction of schools could be done without a public hearing. Mr. Collier pointed out this ordinance would allow new schools.*

*In response to comments by Commissioner Morales regarding day care centers in strip malls, Assistant County Attorney Collier stated day care centers located in shopping malls were permitted without a public hearing because those centers do not interfere with consumers.*

*Discussion ensued among members of the Committee and staff regarding non-approval of*

*schools in the public interest.*

*Commissioner Martinez questioned whether the foregoing proposed ordinance would affect all airports located within Miami-Dade County.*

*Assistant County Attorney Collier stated each airport would have its own separate ordinance; this ordinance only addressed Miami International Airport (MIA). He noted the only airport pending was Opa-locka.*

*Discussion ensued concerning the minimum statutory requirement of the proposed ordinance and the potential expansion of the tax base for the City of Opa-locka or the City of Miami Gardens, if the foregoing was adopted as presented.*

*Commissioner Martinez noted an article in today's paper regarding the Court of Appeals citing a developer in Miami Beach on the Burke J. Harris Act that did not allow the developer to develop property. He noted the citation was based on not allowing a building owner to build a 24-story building and had to build it at six. Therefore, the City of Miami Beach must pay the developer substantial amount of dollars. He asked if there were height and zoning restrictions and would the County be subject to the same type of situation.*

*Assistant County Attorney Collier stated any property currently zoned or master planned for a specific use would be grandfathered and built in accordance with how it was zoned or master planned. He noted this proposed ordinance would only affect properties that sought to rezone. Mr. Collier noted the Burke J. Harris Act would apply and the height maps that are being proposed for modification were not substantially different from the height maps that existed for many years. He noted that in respect to all other zoning classifications, the zoning has been in accordance with the master plan.*

*Ms. Gittens noted the height maps had been made less restrictive because of technological changes.*

*Commissioner Martinez noted a concern he raised at the last Committee meeting regarding the language added to the proposed ordinance that allowed the MDAD Director or designee the right to appeal a Community Zoning Appeal Board (CZAB) decision. He commented any zoning issues should be directed to the appropriate CZAB and no County department should have the right to*

*appeal the CZAB's decision. The recommendation could be discussed and not appealed.*

*Assistant County Attorney Collier indicated it was a policy decision of this Board as to whether the Board would permit the MDAD Director to pursue an appeal of a municipality or CZAB's zoning decision to the County Commission.*

*Commissioner Martinez recommended an amendment that removed the language that allowed the MDAD Director or designee to appeal any decision of the CZAB, and add that the MDAD Director or designee would be notified and provide a recommendation to the Board.*

*Chairperson Moss discussed a previous situation that occurred at the Tamiami Airport in which the CZAB had approved a certain use and it was appealed to the Board who overturned that use.*

*Following further discussion regarding the ability to appeal the CZAB's decision, Assistant County Attorney Collier discussed incorporated versus unincorporated areas. He noted in the incorporated areas neither the Manager nor the Department of Planning and Zoning Director had the authority to appeal a decision in an incorporated area, once that decision was made by a municipality. Mr. Collier pointed out in the unincorporated areas there was a provision in section 33-314 of the Miami-Dade County Code that outlined the procedures to appeal the CZAB's decision to the Board as it pertained to airport safety.*

*In response to Chairperson Moss' comments pertaining to the County's ability to appeal a decision by a municipality, Assistant County Attorney Collier advised the Committee, that the MDAD Director could appeal a municipality zoning decision.*

*Commissioner Barreiro expressed concern with an undue burden on the inner city in which the County was attempting to redevelop. He recommended that the Florida Statute be revisited.*

*Chairperson Moss agreed with Commissioner Barreiro and indicated the County had to make a decision based upon Chapter 333 Florida Statutes entitled, "Airport Zoning" that required local governments to develop specific land use control measures around airports.*

Transportation Committee

CLERK'S SUMMARY OF

Meeting Minutes

Thursday, July 17, 2003

*Following further discussion of exceptions for construction of an educational facility within a no school zone, the Committee by motion duly made, seconded, and carried, forward the foregoing proposed ordinance, as presented.*

*Commissioner Martinez requested the deletion of the section pertaining to the MDAD Director or designee being allowed to appeal the CZAB's decision. He further stated if it could not be removed, he would instruct the County Attorney to prepare an alternate to the foregoing ordinance with his proposed amendment that would delete that language.*

*Commissioner Ferguson the maker of the motion did not accept the proposed amendment by Commissioner Martinez.*

*Assistant County Attorney Collier indicated the foregoing proposal would be amended to reflect the scrivener's error noted, on the record by Assistant County Attorney Price-Williams.*

*Assistant County Attorney Collier informed members of the Committee that the foregoing proposal could be amended to delete those provisions and that item could be forwarded to the full Board.*

*The Committee by motion duly made, seconded, and carried forwarded Agenda Item 1F2 to the full Board.*

1F2      032063      **Ordinance**

ORDINANCE RELATING TO MIAMI INTERNATIONAL AIRPORT AND SURROUNDING AREA; AMENDING SECTION 33-335 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO INCORPORATE AIRPORT HEIGHT ZONING AREA MAP; AMENDING SECTION 33-336 TO INCORPORATE AIRPORT LAND USE ZONING MAP; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 023231] (Aviation Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Morales*

*Seconder: Moss*

*Vote: 3-2*

*No: Barreiro, Martinez*

*Absent: Diaz*

**Report:**    *See report under Agenda Item 1F1 Substitute - Legislative File #032177.*

Transportation Committee

CLERK'S SUMMARY OF

Meeting Minutes

Thursday, July 17, 2003

1F3 031917 Resolution

RESOLUTION CONDITIONALLY GRANTING STRATEGIC TECHNOLOGIES, INC. A NON-EXCLUSIVE CABLE LICENSE AND LICENSE AREA; GRANTING CERTAIN RIGHTS AND PRIVILEGES WITHIN SAID AREA TO STRATEGIC TECHNOLOGIES, INC.; PROVIDING FOR TERMS AND CONDITIONS FOR THE LICENSE; AND PROVIDING FOR FUTURE CONSIDERATIONS BY THE COUNTY COMMISSION (Consumer Services Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Barreiro*

*Seconder: Martinez*

*Vote: 5-0*

*Absent: Diaz*

**Report:** *Chairperson Moss announced that the foregoing proposed resolution was open for public participation.*

*Mr. Mike Tank, Director, Governmental Affairs, Adelphia Communications, appeared before the Committee to express concern with the Strategic Technologies (ST), Inc. being held to the same standard as other cable operators. He also noted a second concern that ST, Inc. had a very limited and targeted market and it was understood that ST, Inc. was a subsidiary of a developer. Mr. Tank pointed out his company provides a diverse economic background whereas their area of specialty targeted development. He concluded his comments by stating that Adelphia did not oppose the foregoing item but that everyone should be on a leveled playing field.*

*There being no other persons to appear before the Committee, the public hearing was closed.*

1F4 032075 Resolution

RESOLUTION APPROVING A REQUEST TO INCREASE THE CITY OF MIAMI FIRE-RESCUE DEPARTMENT'S AUTHORIZED EMERGENCY MEDICAL SERVICES RATE SCHEDULE (Consumer Services Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Martinez*

*Seconder: Moss*

*Vote: 4-1*

*No: Barreiro*

*Absent: Diaz*

**Report:** *Chairperson Moss announced that the foregoing proposed resolution was open for public participation.*

*There being no persons to appear before the Committee, the public hearing was closed.*

*There being no objection, the foregoing proposed resolution was considered simultaneously with agenda item 1F10, as requested by Commissioner Martinez.*

*Chairperson Moss announced that the public hearing was reopened for agenda item 1F4 and 1F10 for public participation.*

*There being no person to appear before the Committee, the public hearing was closed.*

*In response to Commissioner Barreiro's question regarding if the City of Miami had approved the foregoing items, Ms. Sheila Rushton, Director, Consumer Services, noted the City of Miami had approved the rate increase for emergency medical services.*

*Following discussion of the request by the City of Miami to increase the City's Fire Rescue Department emergency medical services rate schedule, Commissioner Barreiro expressed a concern with the City's rates being higher than Miami-Dade County.*

*Ms. Rushton stated every jurisdiction had different cost for emergency medical services. She noted staff conducted a national survey and the City's proposed rates were in line with other jurisdictions in the State of Florida as well as around the nation. Ms. Rushton indicated, in fact, the City's rates were considerably lower than various rates around the nation.*

*Mr. Dany Murray, Chief, Medical Services, City of Miami Fire Rescue Department, appeared before the Committee to discuss the rate schedule*

increase for the City.

Commissioner Barreiro questioned the need to approve these rates today.

Ms. Rushton stated the Miami-Dade County Fire Rescue's projected budget for next fiscal year would be impacted due to Federal law that Medicare ambulance fee schedule adopted on a national level could be charged without County Commission approval. She indicated the rates could be applied across the board, which required the Board's approval.

Discussion ensued concerning the Medicare fees, services, rates and the rate structures for emergency medical services in Florida and in the nation.

Commissioner Morales asked that each member of the City of Miami Commission and the Mayor receive a copy of the proposed resolution.

1F5 031726 Resolution

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 250 TO BRICKELL KEY TOURS & TRANSPORTATION, INC. TO PROVIDE SPECIAL OPERATIONS SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Martinez*

*Second: Moss*

*Vote: 4-0*

*Absent: Diaz, Ferguson*

**Report:** Chairperson Moss announced that the foregoing proposed resolution was open for public participation.

*There being no persons to appear before the Committee, the public hearing was closed, and the Committee proceeded to vote on the resolution as presented.*

1F6 031575 Ordinance

ORDINANCE RELATING TO FOR-HIRE LIMOUSINES; AMENDING DEFINITION OF LUXURY LIMOUSINE SEDAN TO INCLUDE CERTAIN SPORTS UTILITY VEHICLES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Consumer Services Department)

*Deferred to next committee meeting*

*Mover: Morales*

*Second: Moss*

*Vote: 5-0*

*Absent: Diaz*

**Report:** During consideration of changes to today's agenda, the Committee deferred the foregoing proposed ordinance to the next Committee meeting scheduled for September 18, 2003 at 2:00 p.m.

Transportation Committee

CLERK'S SUMMARY OF

Meeting Minutes

Thursday, July 17, 2003

1F7 032000 Resolution

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS ACCEPTING THE APPROVAL OF THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST OF THE ATTACHED BUS SERVICE IMPROVEMENTS AND INCORPORATING THE BUS SERVICE IMPROVEMENTS INTO THE PEOPLE'S TRANSPORTATION PLAN (Office of Public Transportation Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Barreiro*

*Seconder: Morales*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

**Report:** *Chairperson Moss announced that the foregoing proposed resolution was open for public participation.*

*There being no persons to appear before the Committee, the public hearing was closed, and the Committee proceeded to vote on the resolution as presented.*

*Chairperson Moss raised concern that the language should reflect a recommendation by the Citizens' Independent Transportation Trust. He stated therefore, it would not appear as the CITT was making policy, which was not within their purview.*

*The County Attorney's Office noted that the change would be made, as requested by Chairperson Moss.*

Transportation Committee

CLERK'S SUMMARY OF

Meeting Minutes

Thursday, July 17, 2003

1F8 031924 Resolution

RESOLUTION AUTHORIZING THE FILING OF A GRANT AMENDMENT APPLICATION FOR CONGESTION MITIGATION FOR AIR QUALITY (CMAQ) FUNDS WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR \$600,000 IN SECTION 5307 FORMULA FUNDING UNDER TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY TO PROVIDE OPERATING ASSISTANCE FOR THE BIRD ROAD MAX AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE A GRANT AGREEMENT PURSUANT TO SUCH APPLICATION, TO UTILIZE MIAMI-DADE TRANSIT OPERATING FUNDS AS MATCHING FUNDS, AND TO RECEIVE AND EXPEND FUNDS PURSUANT TO SUCH APPLICATION (Office of Public Transportation Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Barreiro*

*Seconder: Morales*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

**Report:** *Chairperson Moss announced that the foregoing proposed resolution was open for public participation.*

*There being no persons to appear before the Committee, the public hearing was closed, and the Committee proceeded to vote on the resolution as presented.*

1F9 031948 Resolution

RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION FOR \$2,951,036 IN SECTION 5309 FUNDS FOR THE PURCHASE OF BUSES WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION UNDER THE TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY; AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE THE GRANT APPLICATION, TO UTILIZE FLORIDA STATE TOLL REVENUE CREDITS AS MATCHING FUNDS, AND TO RECEIVE AND EXPEND FUNDS PURSUANT TO THE GRANT APPLICATION (Office of Public Transportation Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Morales*

*Seconder: Moss*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

**Report:** *Chairperson Moss announced that the foregoing proposed resolution was open for public participation.*

*There being no persons to appear before the Committee, the public hearing was closed, and the Committee proceeded to vote on the resolution as presented.*

1F10 032091 Resolution

RESOLUTION APPROVING A REQUEST TO INCREASE THE MIAMI-DADE FIRE RESCUE DEPARTMENT'S AUTHORIZED EMERGENCY MEDICAL SERVICES RATE SCHEDULE (Consumer Services Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Martinez*

*Seconder: Moss*

*Vote: 4-1*

*No: Barreiro*

*Absent: Diaz*

1F11 031827 Ordinance

Dennis C. Moss,

Dr. Barbara Carey-Shuler, Dorrin D. Rolle

ORDINANCE AMENDING CHAPTER 30, ARTICLE III, SECTION 30-476 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; TO MAKE EXPLICIT THE AUTHORIZATION OF A \$15 ADMINISTRATIVE FEE TO BE CHARGED BY THE COUNTY FOR ALL VEHICLES IMPOUNDED BY THE COUNTY, TO RATIFY AND CONFIRM ANY SUCH FEE ALREADY CONTAINED IN ANY CONTRACT OR AGREEMENT INVOLVING THE COUNTY, TO DECLARE VALID AND TO RATIFY IN ALL RESPECTS ANY SUCH FEES IMPOSED PRIOR TO THE ADOPTION OF THIS ORDINANCE, PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Forwarded to BCC with a favorable recommendation*

*Mover: Martinez*

*Seconder: Moss*

*Vote: 4-0*

*Absent: Diaz, Ferguson*

**Report:** *Chairperson Moss announced that the foregoing proposed ordinance was open for public participation.*

*There being no persons to appear before the Committee, the public hearing was closed, and the Committee proceeded to vote on the ordinance as presented.*

1F11 S 032126 Report

Dennis C. Moss,

Dr. Barbara Carey-Shuler, Dorrin D. Rolle

FISCAL IMPACT FOR ORDINANCE AMENDING CHAPTER 30, ARTICLE III, SECTION 30-476 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; TO MAKE EXPLICIT THE AUTHORIZATION OF A \$15 ADMINISTRATIVE FEE TO BE CHARGED BY THE COUNTY FOR ALL VEHICLES IMPOUNDED BY THE COUNTY, TO RATIFY AND CONFIRM ANY SUCH FEE ALREADY CONTAINED IN ANY CONTRACT OR AGREEMENT INVOLVING THE COUNTY, TO DECLARE VALID AND TO RATIFY IN ALL RESPECTS ANY SUCH FEES IMPOSED PRIOR TO THE ADOPTION OF THIS ORDINANCE, PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Report Received*

*Mover: Martinez*

*Seconder: Moss*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

Transportation Committee

CLERK'S SUMMARY OF

Meeting Minutes

Thursday, July 17, 2003

1F12 031982 Ordinance Natacha Seijas

ORDINANCE AMENDING SECTION 2-1421 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO CHANGE THE PROCEDURES FOR DEVELOPING SLATES OF CANDIDATES FOR APPOINTMENT TO THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST, AND TO PRECLUDE EMPLOYEES OF THE COUNTY'S AVIATION, SEAPORT, OPTM AND MDT DEPARTMENTS FROM SERVING ON THE TRUST; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

*Deferred to next committee meeting*

*Mover: Barreiro*

*Seconder: Martinez*

*Vote: 4-1*

*No: Ferguson*

*Absent: Diaz*

**Report:** *Commissioner Seijas noted a correction that one to three additional slates be added for candidates to be appointed to the Citizens' Independent Transportation Trust (CITT).*

*Chairperson Moss announced that the foregoing proposed ordinance was open for public participation.*

*Mr. Frank Hernandez, Chairman, Citizens Transportation Advisory Committee (CTAC), noted CTAC opposed the amendment being proposed by Commissioner Seijas in terms of the process to develop candidate slates for appointment to the CITT.*

*In response to Commissioner Seijas' question why the CTAC opposed the foregoing proposed amendment, Mr. Hernandez noted at the last meeting of the CITT Nominating Committee he recommended a running slate that did not pass. He noted it was agreed upon by a majority of the members of the Nominating Committee that on an as needed basis advertisements would be published to seek candidates to serve on CITT. Mr. Hernandez discussed the intent for the running slate was to include the applicants who previously applied. He noted the Nominating Committee developed procedures and an application that were not publicized. Mr. Hernandez indicated that one of the nominees in slate that was forwarded for consideration would have to resign from their job in order to serve on the CITT.*

*Discussion ensued concerning the submittal of applications from persons interested in serving on the CITT and the selection process.*

*Commissioner Seijas expressed concern with County employees and potential conflict of interest from individuals who submitted an application to serve on the CITT.*

18

*Ms. Nancy Lee, representing the Urban Environment League, appeared before the Committee, to state that the Nominating Committee should be given the opportunity to develop the selection process for appointment to the CITT.*

*Mr. Mack Glasgow, a member of CTAC, appeared before the Committee and spoke in opposition to the foregoing proposed ordinance.*

*Assistant County Attorney Robert Cuevas advised the Committee that four candidates could be selected from the slate submitted by the Nominating Committee, and if that slate was not acceptable, a second slate could be considered.*

*Mr. Billy Isley, representing Underrepresented People's Positive Action Council (UP-PAC) appeared before the Committee, to discuss the process for consideration of the slates submitted by the Nominating Committee.*

*There being no other persons to appear before the Committee, the public hearing was closed.*

*Following further discussion of the intent of the foregoing ordinance by Commissioner Seijas, Assistant County Attorney Cuevas stated the proposed ordinance would be for one additional slate and the motion would be agenda item 1F12 as amended.*

*Commissioner Martinez moved that the Committee forward the foregoing proposed ordinance as amended to the full Board. Commissioner Barreiro seconded this motion.*

*Commissioner Ferguson discussed the conflict of interest and a screening process for applicants for the slate being considered for appointment to the CITT. She noted the second slate should include four additional names along with the names submitted for the first slate that were not selected. Therefore, the nominations would not be reopen but simply adding names to the slate.*

*Commissioner Morales expressed concern that any changes to the process would undermine the perception of the independence of the Trust.*

*Chairperson Moss stated that he understood Commissioner Seijas' intent but he was not supportive of the amendment. He pointed out*

19

enough controversy had been created in the community surrounding the surtax and there was no need for more controversy.

Commissioner Ferguson stated she could not support the foregoing proposed ordinance.

Commissioner Seijas indicated she would defer the foregoing proposed ordinance to the next Committee meeting scheduled in September and meet with the Chairperson of the Nominating Committee to address her concern.

Chairperson Moss announced that a request was being made by Commissioner Seijas, the sponsor of the foregoing proposed ordinance to defer the item to the next Committee meeting.

Commissioner Martinez withdrew his previous motion to forward the foregoing proposed ordinance as amended to the full Board and recommended that the foregoing item be forwarded without a recommendation to the Board.

Chairperson Moss indicated he supported forwarding the foregoing item without a recommendation.

Commissioner Seijas reiterated her request for deferral of the foregoing item to the September's Committee meeting and that the Nominating Committee or its representative confer with her or the County Attorney to address her concern.

It was moved by Commissioner Barreiro that the foregoing proposed ordinance be deferred to the next Committee meeting scheduled for September 18, 2003 at 2:00 p.m. Commissioner Martinez seconded this motion.

Commissioner Ferguson suggested that the proposal before the Committee, as presented should be voted on today. She expressed her opposition to the foregoing proposed ordinance.

The Transportation Committee deferred the foregoing proposed ordinance to its meeting scheduled for September 18, 2003 at 2:00 p.m.

Commissioner Martinez requested the names and addresses of all persons serving on the Nominating Committee for the CITT except those precluded by law at the next meeting. He noted his reasoning for his request to identify any member of the Nominating Committee who lived in or near

*his Commission District and possibly not live in Miami-Dade County.*

*Assistant County Manager Bill Johnson responded staff would provide the information requested by Commissioner Martinez.*

**1F12 S 032143 Report**

FISCAL IMPACT STATEMENT TO ORDINANCE AMENDING SECTION 2-1421 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO CHANGE THE PROCEDURES FOR DEVELOPING SLATES OF CANDIDATES FOR APPOINTMENT TO THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST, AND TO PRECLUDE EMPLOYEES OF THE COUNTY'S AVIATION, SEAPORT, OPTM AND MDT DEPARTMENTS FROM SERVING ON THE TRUST; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

*Deferred to next committee meeting*

*Mover: Barreiro*

*Seconder: Martinez*

*Vote: 4-1*

*No: Ferguson*

*Absent: Diaz*

**Report:** *See report under Agenda Item 1F12 - Legislative File #031982.*

**2 COUNTY COMMISSION**

Transportation Committee

CLERK'S SUMMARY OF

Meeting Minutes

Thursday, July 17, 2003

2A 031973 Resolution Sally A. Heyman

RESOLUTION DIRECTING THE COUNTY MANAGER TO ASSIGN MIAMI-DADE TRANSIT STAFF TO COUNTY FACILITIES LOCATED THROUGHOUT THE COUNTY IN ORDER TO BETTER ASSIST SPECIAL TRANSPORTATION SERVICE (STS) APPLICANTS WITH THE COMPLETION OF STS APPLICATIONS AND FACILITATE OTHER TRANSPORTATION SERVICES IN A COMMUNITY OUTREACH CAPACITY; AND DIRECTING COUNTY MANAGER TO MODIFY STS APPLICATION TO MAKE IT EASIER FOR PROSPECTIVE STS APPLICANTS AND THEIR MEDICAL PROVIDERS TO COMPLETE

*Forwarded to BCC with a favorable recommendation*

*Mover: Morales*

*Second: Moss*

*Vote: 4-0*

*Absent: Diaz, Ferguson*

**Report:** *In response to Commissioner Morales' inquiry regarding certification for Special Transportation Services (STS), Mr. Roosevelt Bradley, Director, Miami-Dade Transit (MDT), noted the issues were with at-home certifications due to having only one center for STS certification. He indicated staff along with Commissioner Heyman recommended four locations throughout Miami-Dade County. Mr. Bradley noted there were four MDT Outreach Centers before the passage of the Charter County Transit Systems Sales Surtax. He provided an overview of the intent of the proposed resolution sponsored by Commissioner Heyman.*

*Assistant County Manager Bill Johnson stated the issue of outreach would be addressed as part of the organizational study. He pointed out a collaborative relationship between MDT and Team Metro to conduct cross training to offer an array of services including STS applications, passports, and other services. Mr. Johnson concluded by stating all efforts would be made to address these issues.*

2B 032058 Resolution Rebeca Sosa

RESOLUTION DIRECTING COUNTY MANAGER TO PREPARE A STUDY RECOMMENDING HOW MIAMI INTERNATIONAL AIRPORT MAY BE MORE COMPETITIVE THAN OTHER AIRPORTS

*Forwarded to BCC with a favorable recommendation*

*Mover: Barreiro*

*Second: Morales*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

3 DEPARTMENT

3A 031633 Bid Rejection

REQUEST TO REJECT BIDS FOR MIA SECURITY EQUIPMENT PROCUREMENT II, PROJECT NO. ITB-MDAD-05-02 (Aviation Department)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Martinez*  
*Seconder: Moss*  
*Vote: 4-0*  
*Absent: Diaz, Ferguson*

**Report:** *In response to Chairperson Moss' inquiry regarding the reason for the rejection of bids, Ms. Angela Gittens, Director, Miami-Dade Aviation Department (MDAD), stated all the bids received exceeded the MDAD's estimated project budget. She noted staff was currently reviewing the structure of the solicitation to delete certain elements such as equipment for training and extended warranties.*

3B 031665 Resolution

RESOLUTION AWARDING AGREEMENT FOR EXCLUSIVE DEMAND SHARED GROUND TRANSPORTATION SERVICES AT MIAMI INTERNATIONAL AIRPORT TO SOUTHERN SHUTTLE SERVICES, INC., D/B/A SUPER SHUTTLE; AUTHORIZING COUNTY MANAGER TO EXECUTE RENEWAL AND TERMINATION PROVISIONS CONTAINED THEREIN (Aviation Department)

*Forwarded to BCC without a recommendation*  
*Mover: Morales*  
*Seconder: Barreiro*  
*Vote: 4-0*  
*Absent: Ferguson, Diaz*

**Report:** *There being no objection, Chairperson Moss stated the proposed resolutions (Agenda Items 3B and 3J Substitute) would be forwarded without a Committee recommendation.*

*Mr. William Perry stated for the record that he would like to submit a letter dated May 15, 2003, regarding Exclusive Demand Ground Transportation Services RFP.*

*Chairperson Moss suggested that Mr. Perry meet with the Board of County Commission (BCC) Chairperson to request a presentation before the full Board regarding agenda item 3B.*

*Assistant County Attorney Abigail Price-Williams clarified for the record, that agenda items 3B and 3J Substitute would be forwarded to the Board without a recommendation.*

*Chairperson Moss stated it was his intent to request of the BCC Chairperson that the Committee rules be waived to allow both items to heard at the Board meeting of July 22, 2003.*

## 3B SUP 032155 Report

NON-RESPONSIVE BID OF FAE; RESPONSIVE BID OF SOUTHERN SHUTTLE SERVICES, INC.

*Forwarded to BCC without a recommendation*

*Mover: Morales*

*Seconder: Barreiro*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

## 3C 031960 Resolution

RESOLUTION AWARDING NON-EXCLUSIVE PROFESSIONAL ENGAGEMENT AGREEMENT FOR ACOUSTICAL ENGINEERING SERVICES AT MIAMI INTERNATIONAL AIRPORT TO HARRIS MILLER MILLER & HANSON, INC.; APPROVING SUCH AGREEMENT BETWEEN THE COUNTY AND HARRIS MILLER MILLER & HANSON, INC. IN AN AMOUNT NOT TO EXCEED \$501,250; AND AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Aviation Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Morales*

*Seconder: Barreiro*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

**Report:** *There being no objection, the foregoing proposed resolution was considered simultaneously with agenda item 3D.*

*In response to Commissioner Martinez' inquiry regarding multiple consultants for the same project outlined in the proposed items, Ms. Gittens indicated staff preferred to have multiple consultants in order to spread the work and this project was for all Miami-Dade Aviation airports.*

## 3D 031979 Resolution

RESOLUTION AWARDING NON-EXCLUSIVE PROFESSIONAL ENGAGEMENT AGREEMENT FOR ACOUSTICAL ENGINEERING SERVICES AT MIAMI INTERNATIONAL AIRPORT TO ENVIRONMENTAL SCIENCE ASSOCIATES; APPROVING SUCH AGREEMENT BETWEEN THE COUNTY AND ENVIRONMENTAL SCIENCE ASSOCIATES IN AN AMOUNT NOT TO EXCEED \$501,250; AND AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Aviation Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Morales*

*Seconder: Barreiro*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

3E 031989 Resolution

RESOLUTION RELATING TO THE MIAMI INTERNATIONAL AIRPORT ("MIA") HOTEL AUTHORIZING THE COUNTY MANAGER TO ADVERTISE FOR REQUEST FOR PROPOSALS TO OBTAIN PROPOSALS FOR THE MIA AIRPORT HOTEL REDEVELOPMENT, OPERATION, AND MAINTENANCE PROJECT AND TO EXERCISE ANY CANCELLATION AND READVERTISEMENT PROVISIONS CONTAINED IN THE REQUEST FOR PROPOSAL (Aviation Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Ferguson*

*Seconded: Moss*

*Vote: 3-2*

*No: Martinez, Morales*

*Absent: Diaz*

**Report:** *Ms. Angela Gittens, Director, Miami-Dade County Aviation Department (MDAD), provided an overview of the proposed resolution. She pointed out she was pleased to bring forth the request to advertise for a Request for Proposal to develop a new hotel to replace the existing hotel at Miami International Airport (MIA). Ms. Gittens noted efforts were made to offer employment within MIA employees primarily for the management contracts. She stated staff had initiated and imposed a hiring freeze on applicable management agreements as well as within certain departments at MIA that vacancies be available for all employees. Ms. Gittens noted staff was working with the South Florida Workforce Initiative Program to provide training opportunities for those employees who wish to avail themselves due to some employees expressing an interest to seek employment outside of their current area of interest.*

*Chairperson Moss commended the MDAD staff for their efforts with the existing employees.*

*Commissioner Morales expressed his support of the foregoing proposed resolution. He offered an amendment to state that the successor proposer must enter into a labor agreement to represent employees of the hotel. The labor agreement referred to as a labor peace agreement will be for the purposes of establishing ground rules for any organizing effort to avoid picketing and other economic actions that might adversely affect the County's economic interest in the hotel.*

*It was moved by Commissioner Morales that the Committee forward the foregoing proposed resolution as amended to include that the successor proposer enter into a labor agreement for the purpose of establishing ground rules for all organized efforts. He stated these organized efforts would not include picketing and/or other economic actions that may adversely affect the*

*County's economic interest in the hotel.*

*Assistant County Attorney David Hope discussed the language being proposed by Commissioner Morales and the need for that language to be reviewed by Labor Management. He noted that drafted language appears to violate the Public Employees Relations Commission to designate the collective bargaining agent. Mr. Hope indicated language could be drafted to address Commissioner Morales' issue of concern.*

*Discussion ensued among members of the Committee regarding the proposed amendment offered by Commissioner Morales.*

*Commissioner Ferguson discussed today's proposal that did not include a bargaining agent or union. She noted the need for the proposal to include language that would allow the employees to unionize, if they desired and approve the proposal before the Committee today, as presented.*

*During Commissioner Ferguson's comments, Chairperson Moss relinquished the chair to Vice Chairperson Barreiro.*

*Commissioner Martinez stated he would support the foregoing proposed resolution with the amendment.*

*In response to Commissioner Martinez' request if the language could be added as noted by the attorney to include Commissioner Morales' intent, Assistant County Attorney Hope responded he could not comment at this present time.*

*Following further discussion among members of the Committee regarding the labor agreement for potential employees, Commissioner Morales requested that labor peace language be added to the proposal. He expressed he did not want to place language in the proposal that would not comply with applicable State or Federal laws to achieve the County's goal.*

*Commissioner Morales discussed language referenced by the attorney pertaining to labor peace agreements. He requested that the language referenced be included in this RFP and offered an amendment to be drafted by the County Attorney's Office to be presented to the full Board.*

*Commissioner Morales requested that both*

*proposals be forwarded to the Board without a recommendation for consideration.*

*It was moved by Commissioner Morales that the Committee forward the foregoing proposed resolution as amended to include language that complied with all laws. Commissioner Martinez seconded this motion.*

*Vice Chairperson Barreiro indicated he was not comfortable with approval of conceptual amendments without reviewing the actual language. He stated he would not be supportive of the item as amended.*

*Upon Chairperson Moss' return and inquiry regarding the motion on the floor, Assistant County Attorney Abigail Price-Williams clarified the motion was to instruct the County Attorney's Office to draft the labor peace agreement language provision that was consistent with all laws.*

*In response to Commissioner Ferguson's inquiry as to whether the employees would be expected to join or organize an union, Assistant County Attorney Hope advised the Committee that an agreement would be reached between the developer/manager of the day-to-day operations and the bargaining unit who would represent its employees. He noted the essence of a labor peace agreement would be between the operator and the representative of the employees. Mr. Hope indicated what gave the County the ability to benefit from the agreement was that the County owned the property which had a direct financial impact on the operation. He further stated the concern with this proposal in terms of the Florida Right to Work Law was directing an independent third party to do adhere to certain terms that may affect its employees.*

*Assistant County Attorney Hope read into the record language from a labor peace agreement used by the City of Seattle that would be similar to the language to be used by the County in its proposal.*

*Discussion ensued in connection with an alternate or an amendment to the foregoing proposed resolution.*

*Assistant County Attorney Price-Williams advised the Committee that the foregoing resolution could be amended or be amended when it was presented*

Transportation Committee

CLERK'S SUMMARY OF

Meeting Minutes

Thursday, July 17, 2003

---

before the full Board. She indicated the motion would be to forward the resolution as amended to instruct the County Attorney's Office to provide a provision in the existing item that was consistent with the law.

Mr. Andy Bowers, a representative from the collective bargaining union, appeared before the Committee, to state that the labor peace agreement does not obligate any future employers and/or operators to become unionized. He pointed out it would set parameters and the ground rules in which the workers have the right to organize. Mr. Bowers stated approximately 10,000 workers per year are terminated for trying to exercise their right to organize. Therefore, all parties involved would work harmoniously together.

The Committee proceeded to vote on the resolution, as amended, and the motion failed by a vote of 2-3, (Commissioners Barreiro, Ferguson and Chairperson Moss voted "No") (Commissioner Diaz was absent).

The Committee proceeded with a motion to vote on the resolution, as presented, which passed by a vote of 3-2, (Commissioners Martinez and Morales voted "No") (Commissioner Diaz was absent).

Chairperson Moss announced that the proposed resolution would be forwarded with a favorable recommendation to the July 11, 2003 County Commission meeting, however, it would not preclude Commissioner Morales to offer an amendment before the full Commission. He stated he would request the Board of County Commission Chairperson Barbara M. Carey-Shuler to waive the Committee's rules and allow this item to be heard at the July 11, 2003, Board meeting. This would allow the potential proposers as much time as possible to review the RFP to ensure that the Department meet certain deadlines to renovate this hotel within a 24-month period.

*JB*

3F 031990 Resolution

RESOLUTION REJECTING ALL PROPOSALS RECEIVED IN RESPONSE TO THE REQUEST FOR QUALIFICATION SOLICITATION FOR ARCHITECTURAL/ENGINEERING SERVICES FOR AIRFIELD/CARGO/REMOTE STRUCTURES SECURITY AT MIAMI INTERNATIONAL AIRPORT AND AUTHORIZING COUNTY MANAGER TO READVERTISE FOR THESE SERVICES (Aviation Department)

*Withdrawn*

**Report:** See Agenda Item 3F - Legislative File #032420.

3F 032420 Resolution

RESOLUTION TO WAIVE THE SHORT-LISTING REQUIREMENTS ESTABLISHED IN ADMINISTRATIVE ORDER 3-33 AND ADMINISTRATIVE ORDER 3-39 FOR THE ENGINEERING SOLICITATION FOR AIRFIELD SECURITY AT MIAMI INTERNATIONAL AIRPORT AND TO PROCEED TO SECOND-TIER SELECTION PROCESS WITH THE FOUR FIRMS IDENTIFIED IN THE COUNTY MANAGER'S MEMORANDUM [SEE ORIGINAL ITEM UNDER FILE NO. 031990] (Capital Improvement Coordinator)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Morales*

*Seconder: Moss*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

**Report:** See report under Agenda Item 3H - Legislative File #032419.

3G 031991 Resolution

RESOLUTION APPROVING REIMBURSEMENT TO FORMER MIAMI-DADE AVIATION DEPARTMENT EMPLOYEE FOR LOSS OF PERSONAL PROPERTY, PURSUANT TO THE PROVISIONS OF SECTION 2-11.13 OF THE MIAMI-DADE COUNTY CODE AND ADMINISTRATIVE ORDER NO. 7-23 (Aviation Department)

*Withdrawn*

**Report:** See Agenda Item 3G - Legislative File #032429.

Transportation Committee

CLERK'S SUMMARY OF

Meeting Minutes

Thursday, July 17, 2003

3G 032429 Resolution

RESOLUTION APPROVING REIMBURSEMENT TO FORMER MIAMI-DADE AVIATION DEPARTMENT EMPLOYEE FOR LOSS OF PERSONAL PROPERTY, PURSUANT TO THE PROVISIONS OF SECTION 2-11.13 OF THE MIAMI-DADE COUNTY CODE AND ADMINISTRATIVE ORDER NO. 7-23 (Aviation Department)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Martinez*

*Seconder: Morales*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

**Report:** *Assistant County Attorney Abigail Price-Williams announced that the foregoing proposed resolution would be forwarded as amended to correct a scrivener's error to change the word "stile" to "stolen", as requested by Commissioner Martinez.*

3H 031994 Resolution

RESOLUTION REJECTING ALL PROPOSALS RECEIVED IN RESPONSE TO THE REQUEST FOR QUALIFICATION SOLICITATION FOR ARCHITECTURAL/ENGINEERING SERVICES FOR TERMINAL LANDSIDE AND ASSOCIATED STRUCTURE SECURITY AT MIAMI INTERNATIONAL AIRPORT AND AUTHORIZING COUNTY MANAGER TO READVERTISE FOR THESE SERVICES (Aviation Department)

*Withdrawn*

**Report:** *See Agenda Item 3H - Legislative File #032419.*

3H 032419 Resolution

RESOLUTION TO WAIVE THE SHORT-LISTING REQUIREMENTS ESTABLISHED IN ADMINISTRATIVE ORDER 3-33 AND ADMINISTRATIVE ORDER 3-39 FOR ARCHITECTURAL/ENGINEERING SOLICITATION FOR TERMINAL SECURITY AT MIAMI INTERNATIONAL AIRPORT AND TO PROCEED TO SECOND-TIER SELECTION PROCESS WITH THE FIVE FIRMS IDENTIFIED IN THE COUNTY MANAGER'S MEMORANDUM [SEE ORIGINAL ITEM UNDER FILE NO. 031994] (Capital Improvement Coordinator)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Barreiro*

*Seconder: Morales*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

**Report:** *There being no objection, the foregoing proposed resolution was considered simultaneously with agenda item 3F.*

*The Committee proceeded to vote on the foregoing proposed resolution, as presented.*

*Commissioner Morales moved that the Committee reconsider agenda item 3H to allow members of the public to speak in connection with the foregoing resolution. Chairperson Moss seconded this motion.*

*The following persons appeared in connection with the foregoing proposed resolution, regarding the Department's recommendation to reject proposals for the Architectural/Engineering Solicitation - Terminal Landside and Associated Structure Security at Miami International Airport (MIA):*

*-Mr. Carlos Flores, representing Heery International, Inc., appeared before the Committee, and indicated his firm was one of the three short-listed firms for this project. He noted all three firms were qualified to perform the work and the guidelines were followed.*

*-Mr. Juan Crespi, President, Architects International*

*-Mr. William Brown, Jr., Brown and Brown Architects*

*-Mr. Javier Salovan, G3TS Architects and Engineering*

*Mr. Roger Hernstadt, Capital Improvements Construction Coordinator, Office of Capital Improvements Construction Coordination, pointed out this solicitation was done under the previous Administrative Order (AO) 3-33. He noted when*

*the committee met and short-listed the firms; some firms were disqualified for both projects (Agenda Items 3F and 3H). Mr. Hernstadt provided an overview of the selection process for firms involved and the possibility of bid protest coming forth, if staff would have recommended an award for the foregoing project. Therefore, staff recommended that foregoing solicitation be re-advertised.*

*In response to Commissioner Morales' question whether the Board could waive the provisions of the AO and allow all six firms to move forward, Assistant County Attorney Abigail Price-Williams asked that staff be allowed to review the AO and then provide a response to Commissioner Morales.*

*Discussion ensued among members of the Committee regarding the reversal of the Department of Business Development (DBD) decision of the short-listing of the three most qualified firms and the likelihood of bid protest.*

*Assistant County Attorney Tim Abbott advised the Committee of the more appropriate legal action since the bid documents had a provision that allowed the County to reject all bids. He noted if the County allowed the process to proceed, bid protests could be filed. Mr. Abbott recommended all proposals be rejected and re-advertise the Architectural/Engineering Solicitation.*

*During this discussion, Chairperson Moss noted the potential loss of a quorum and the possibility of moving all controversial agenda items forward without a Committee's recommendation.*

*Assistant County Attorney Price-Williams noted she had been advised that the only way to resolve this matter was to amend the existing AO 3-33. She pointed out there was no provision in the AO that allowed for a waiver.*

*Assistant County Attorney Abbott noted the Board would have to amend the AO by resolution. He noted the resolution would no longer be to reject all proposals, and be a resolution amending AO 3-33 to permit all six firms to be short-listed and considered.*

*Mr. Hernstadt stated staff was comfortable with that recommendation and noted staff was attempting to accomplish that administratively.*

*Commissioner Barreiro made a motion to amend*

*the foregoing item as stated by the Attorney.  
Commissioner Morales seconded this motion.*

*The Committee proceeded to vote on agenda items  
3F and 3H as amended.*

3I      **031995    Resolution**

RESOLUTION RATIFYING COUNTY MANAGER'S EXECUTION, PURSUANT TO THE PROVISIONS OF ORDINANCE NO. 95-64, OF GRANT AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF COMMUNITY AFFAIRS, TO INVESTIGATE FEASIBILITY OF UTILIZING A BIODIESEL BLEND IN AIRSIDE AND LANDSIDE EQUIPMENT AT MIAMI INTERNATIONAL AIRPORT AND ITS IMPACT ON AIR EMISSIONS (Aviation Department)

*Forwarded to BCC with a favorable recommendation  
Mover: Morales  
Seconder: Barreiro  
Vote: 4-0  
Absent: Diaz, Ferguson*

3J      **031640    Resolution**

RESOLUTION RESCINDING RESOLUTION R-130-99, ESTABLISHING NEW REVISED MAXIMUM RATES FOR TOWING, RECOVERY AND STORAGE OF VEHICLES AT THE REQUEST OF PRIVATE PROPERTY OWNERS, POLICE AGENCIES, AND ALL OTHER TOWS WITHOUT PRIOR CONSENT OF THE VEHICLE OWNER OR A DULY AUTHORIZED DRIVER (Consumer Services Department)

*Withdrawn*

**Report:**    *See Agenda 3J Substitute - Legislative File #031976.*

3J Sub   **031976    Resolution**

RESOLUTION RESCINDING RESOLUTION R-130-99, ESTABLISHING NEW REVISED MAXIMUM RATES FOR TOWING, RECOVERY AND STORAGE OF VEHICLES AT THE REQUEST OF PRIVATE PROPERTY OWNERS, POLICE AGENCIES, AND ALL OTHER TOWS WITHOUT PRIOR CONSENT OF THE VEHICLE OWNER OR A DULY AUTHORIZED DRIVER [SEE ORIGINAL ITEM UNDER FILE NO. 031640] [SEE AGENDA ITEM NOS. 6C AND 7C1A] (Consumer Services Department)

*Forwarded to BCC without a recommendation  
Mover: Morales  
Seconder: Barreiro  
Vote: 4-0  
Absent: Ferguson, Diaz*

**Report:**    *See report under Agenda Item 3B - Legislative File #031665.*

- 3K      031957    **Resolution**  
 RESOLUTION AUTHORIZING COUNTY MANAGER TO EXECUTE AMENDMENT NO. 1 TO MASTER DEVELOPMENT AGREEMENT AMONG MIAMI-DADE COUNTY, P & O PORTS OF FLORIDA, INC., CARNIVAL CRUISE LINES AND PORT OF MIAMI TERMINAL OPERATING COMPANY, LLC FOR DEVELOPMENT OF CRUISE, CARGO AND INFRASTRUCTURE FACILITIES AT THE PORT; AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN (Seaport Department)  
*Forwarded to BCC with a favorable recommendation*  
*Mover: Martinez*  
*Seconder: Moss*  
*Vote: 4-0*  
*Absent: Ferguson, Diaz*
- 3L      032089    **Resolution**  
 RESOLUTION AUTHORIZING ISSUANCE OF REQUEST FOR PROPOSALS NO. 407 FOR THE MANUFACTURE, DESIGN, AND PRODUCTION OF UP TO 400 SMALL, LOW FLOOR TRANSIT BUSES AND SUPPORT EQUIPMENT, INCLUDING AN OPTION FOR UP TO 400 ADDITIONAL BUSES (Miami-Dade Transit Agency)  
*Forwarded to BCC with a favorable recommendation*  
*Mover: Barreiro*  
*Seconder: Morales*  
*Vote: 4-0*  
*Absent: Ferguson, Diaz*
- 3M      031945    **Resolution**  
 RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES AND PROVISIONS OF ADMINISTRATIVE ORDER 3-38 AND AUTHORIZING EXECUTION OF AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FOR THE LEASE OF TWO (2) COUNTY-OWNED BUSES AND FOUR (4) ENGINES /TRANSMISSIONS, FOR AN ANNUAL SUM OF ONE DOLLAR (\$1.00) TO PROVIDE MECHANIC TRAINING; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE CANCELLATION PROVISIONS CONTAINED THEREIN [SEE AGENDA ITEM NO. 8I1A] (Miami-Dade Transit Agency)  
*Forwarded to BCC with a favorable recommendation*  
*Mover: Morales*  
*Seconder: Moss*  
*Vote: 4-0*  
*Absent: Diaz, Ferguson*
- 3N      031955    **Resolution**  
 RESOLUTION AUTHORIZING EXECUTION OF CONTRACT NO. TA02-MR26 TO PROVIDE ENGINEERING SERVICES FOR THE METRORAIL AND PHASE ONE METROMOVER MID-LIFE VEHICLE FLEET OVERHAUL AND MODERNIZATION PROJECT WITH WASHINGTON INFRASTRUCTURE SERVICES, INC.; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE CANCELLATION PROVISIONS CONTAINED THEREIN (Miami-Dade Transit Agency)  
*Forwarded to BCC with a favorable recommendation*  
*Mover: Morales*  
*Seconder: Moss*  
*Vote: 4-0*  
*Absent: Ferguson, Diaz*

30 031975 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES AND REQUIREMENTS OF ADMINISTRATIVE ORDER 3-38; AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE CONTRACT WITH THE GOODYEAR TIRE & RUBBER, CO., FOR PROVISION OF TIRE LEASING AND VEHICLE TIRE SERVICING; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE RENEWAL AND CANCELLATION PROVISIONS CONTAINED THEREIN (Miami-Dade Transit Agency)

*Forwarded to BCC with a favorable recommendation*

*Mover: Barreiro*

*Seconder: Morales*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

3P 031977 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 5 TO CONTRACT TA98-TSB WITH ADVANCED TRANSPORTATION SOLUTIONS, INC.; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE CANCELLATION PROVISIONS CONTAINED THEREIN (Miami-Dade Transit Agency)

*Forwarded to BCC with a favorable recommendation*

*Mover: Morales*

*Seconder: Moss*

*Vote: 4-0*

*Absent: Diaz, Ferguson*

**Report:** *There being no objection, the Committee considered the foregoing proposed resolution simultaneously with agenda item 3T.*

*Mr. Roosevelt Bradley, Director, Miami-Dade Transit, provided an overview of the proposed resolutions pertaining to the Special Transportation Services (STS) program. He pointed out agenda item 3P would be the last one year option to renew for Contract TA98-TSB and agenda item 3T would begin the Request for Proposal (RFP) process for Paratransit Transportation services. Mr. Bradley stated the Federal Transit Administration required local government to provide 24-hour STS that was a part of this contract.*

*Commissioner Morales commended Chairperson Moss, Mr. Bradley and staff for their involvement in this effort.*

*Chairperson Moss announced that agenda item 3T; a proposed resolution was open for public participation.*

*The following persons appeared in support of the foregoing proposed resolution:*

*-Ms. Elizabeth McNally, Vice Chairperson, Commission on Disability Issues (CODI) Commission, Chairperson of the Transportation Subcommittee, President, Cross-Disabilities Transportation Issues Committee, Inc. (CDTIC) and a member of the STS Oversight Task Force, 1960 NE 185 Terrace, requested that members of the STS Oversight Task Force also be involved in the selection process.*

*-Mr. Damien Gregory, a member of the STS Oversight Task Force, asked that consideration be given to individuals with disabilities to serve on the selection committee.*

*-Mr. Mack Glasgow, 65 Palmetto Drive, on behalf of the CTAC.*

*There being no other persons to appear before the Committee, the public hearing was closed, and the Committee proceeded to vote on the proposed resolutions (Agenda Items 3P and 3T) as presented.*

**3Q 031919 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT (JPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR \$15,385,611 IN PUBLIC TRANSIT BLOCK GRANT PROGRAM FUNDING AND AUTHORIZING THE COUNTY MANAGER TO RECEIVE AND EXPEND FUNDS AS SPECIFIED IN THE JPA (Office of Public Transportation Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Barreiro*

*Seconder: Morales*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

**3R 031949 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AND REIMBURSEMENT AGREEMENT (JPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR \$500,000 IN STATE FUNDS TO BE PROVIDED FOR METRORAIL OPERATIONS IMPACT DURING OKEECHOBEE ROAD CONSTRUCTION AND AUTHORIZING THE COUNTY MANAGER TO RECEIVE AND EXPEND FUNDS AS SPECIFIED IN JPA (Office of Public Transportation Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Barreiro*

*Seconder: Morales*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

**3S 031953 Resolution**

RESOLUTION AUTHORIZING THE OFFICE OF PUBLIC TRANSPORTATION MANAGEMENT TO SECURE INDEPENDENT, CERTIFIED (MAI, ASA) PROPERTY APPRAISERS, TO PERFORM PROPERTY APPRAISALS ON AN AS-NEEDED BASIS, IN ACCORDANCE WITH ESTABLISHED COUNTY APPRAISER SELECTION PROCEDURES, IN AN AMOUNT NOT TO EXCEED A BLANKET AMOUNT OF \$75,000.00 (Office of Public Transportation Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Morales*

*Seconder: Barreiro*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

- 3T      **031958   Report**  
 RESOLUTION AUTHORIZING ISSUANCE OF REQUEST  
 FOR PROPOSALS NO. 323 FOR PARATRANSIT  
 TRANSPORTATION SERVICES (Miami-Dade Transit  
 Agency)  
  
*Forwarded to BCC with a favorable  
 recommendation*  
*Mover: Morales*  
*Seconder: Moss*  
*Vote: 4-0*  
*Absent: Ferguson, Diaz*
- Report:**    *See report under Agenda Item 3P - Legislative  
 File #031977.*
- 3U      **031980   Resolution**  
 RESOLUTION AUTHORIZING THE CONVEYANCE OF  
 AN UNDERGROUND ELECTRIC UTILITY EASEMENT  
 OF COUNTY-OWNED LAND TO FLORIDA POWER AND  
 LIGHT COMPANY, INC., LOCATED IN THE  
 METRORAIL CORRIDOR BETWEEN S.W. 8TH STREET  
 AND S.W. 9TH STREET (Office of Public Transportation  
 Management)  
  
*Forwarded to BCC with a favorable  
 recommendation*  
*Mover: Morales*  
*Seconder: Moss*  
*Vote: 4-0*  
*Absent: Ferguson, Diaz*
- 3V      **031984   Resolution**  
 RESOLUTION AUTHORIZING EXECUTION OF THE  
 INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE  
 COUNTY AND THE CITY OF AVENTURA, FLORIDA TO  
 OPERATE A MINIBUS CIRCULATOR FOR A PERIOD OF  
 FIVE YEARS; AND AUTHORIZING THE COUNTY  
 MANAGER TO EXERCISE THE PROVISIONS  
 CONTAINED THEREIN (Office of Public Transportation  
 Management)  
  
*Forwarded to BCC with a favorable  
 recommendation*  
*Mover: Barreiro*  
*Seconder: Morales*  
*Vote: 4-0*  
*Absent: Ferguson, Diaz*

3W 031998 Resolution

RESOLUTION AUTHORIZING EXECUTION OF THE ELEVENTH SUPPLEMENTAL AGREEMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND PARSONS BRINCKERHOFF QUADE & DOUGLAS, INC. TO PREPARE A FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) FOR THE MIC/EARLINGTON HEIGHTS CONNECTOR AND TO DELETE THE RE-EVALUATION OF THE NORTH CORRIDOR BUS ALTERNATIVE FINAL ENVIRONMENTAL IMPACT STATEMENT FROM THE CONTRACT (Office of Public Transportation Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Barreiro*

*Seconder: Morales*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

**Report:** *Commissioner Barreiro asked that the foregoing proposed resolution comeback to the Committee with all the alternatives noted in the resolution. He noted for the record that all alternatives be presented, and pointed out the Board and the Metropolitan Planning Organization (MPO) would adopt one of the alternatives.*

3X 031999 Resolution

RESOLUTION AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI BEACH, FLORIDA TO OPERATE A LOCAL CIRCULATOR SERVICE FOR A PERIOD OF FIVE YEARS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE PROVISIONS CONTAINED THEREIN (Office of Public Transportation Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Barreiro*

*Seconder: Morales*

*Vote: 4-0*

*Absent: Diaz, Ferguson*

3Y 032034 Resolution

RESOLUTION ACCEPTING THE CITIZEN'S INDEPENDENT TRANSPORTATION TRUST'S AMENDMENT OF THE PEOPLE'S TRANSPORTATION PLAN BY DELETING A STREET WIDENING PROJECT DESCRIBED AS "NW 170TH STREET" WHICH CALLS FOR THE WIDENING OF THIS STREET FROM TWO LANES TO FOUR LANES (Office of Public Transportation Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Barreiro*

*Seconder: Morales*

*Vote: 5-0*

*Absent: Diaz*

**Report:** *Chairperson Moss announced that the foregoing proposed resolution was open for public participation.*

*There being no persons to appear before the Committee, the public hearing was closed, and the Committee proceeded to vote on the proposed resolution, as presented.*

- 3Z      031985    **Resolution**  
 RESOLUTION AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF NORTH MIAMI, FLORIDA TO OPERATE A CIRCULATOR SERVICE FOR A PERIOD OF FIVE YEARS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE PROVISIONS CONTAINED THEREIN (Office of Public Transportation Management)  
*Forwarded to BCC with a favorable recommendation*  
*Mover: Barreiro*  
*Seconder: Morales*  
*Vote: 4-0*  
*Absent: Ferguson, Diaz*
- 3AA      031993    **Change Orders**  
 CHANGE ORDER NO. ONE FOR PROJECT NO. TA00-MF13 AT THE METROBUS AND METRORAIL FACILITIES FOR FIRE AND INTRUSION ALARM IMPROVEMENTS; CONTRACTOR: SIMPLEXGRINNELL (Office of Public Transportation Management)  
*Forwarded to BCC with a favorable recommendation*  
*Mover: Barreiro*  
*Seconder: Morales*  
*Vote: 4-0*  
*Absent: Diaz, Ferguson*
- 3A SUP   032161    **Report**  
 SUPPLEMENTAL ITEM TO CHANGE ORDER NO. 1 TO FIRE & INTRUSION ALARM IMPROVEMENTS AT ALL METRORAIL FACILITIES CONTRACT NO. TA00-MF13  
*Report Received*
- 3BB      031626    **Resolution**  
 RESOLUTION AUTHORIZING COUNTY MANAGER TO EXECUTE PROJECT COOPERATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND DEPARTMENT OF THE ARMY FOR COMPLETION OF SEAPORT'S PHASE II DREDGING PROJECT; AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN (Seaport Department)  
*Withdrawn*
- Report:**    *See Agenda Item 3BB Substitute - Legislative File #032150.*

3BB SU 032150 Resolution

RESOLUTION AUTHORIZING COUNTY MANAGER TO EXECUTE PROJECT COOPERATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND DEPARTMENT OF THE ARMY FOR COMPLETION OF SEAPORT'S PHASE II DREDGING PROJECT; AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 031626] (Seaport Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Morales*

*Seconder: Moss*

*Vote: 4-0*

*Absent: Ferguson, Diaz*

**Report:** *Assistant County Manager Bill Johnson noted the foregoing proposed resolution was previously considered and approved by the Committee but today's proposal had subsequent changes to the agreement, after the Committee's approval.*

*Mr. Charles Towsley, Seaport Director, Port of Miami, stated the foregoing item was before the Committee on June 12, 2003, and approved unanimously. He noted subsequent to that, the agreement contained in the resolution entitled the County to certain credits for construction and project administration costs incurred for the Seaport's Phase II Dredging Project. Mr. Towsley pointed out the foregoing resolution would amend the 204(e) Agreement listed on the Board of County Commissioners agenda of July 22, 2003, as item 7Q1B, which would be withdrawn as moot.*

*Commissioner Morales requested the Manager to involve the Department of Environmental Management (DERM) due to environmental issues and that the Committee develop a work plan for review.*

*Mr. Towsley, in response to Commissioner Morales' comments, noted an article featured in the newspaper a few weeks ago contained a misleading statement. He stated the article discussed future dredging issues that are now in an environmental impact with the phase II dredging, which has been previously permitted, and mitigation has been completed. Mr. Towsley provided a background on the bondholder attempting to complete the dredging that was ceased by DERM as reported in the press. He pointed out it was stopped because the contractor could not complete the job.*

**4 COUNTY MANAGER**

4A 030784 Ordinance

ORDINANCE AMENDING SECTIONS 2-8.2.6 AND 2-8.2.7 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AUTHORIZING COUNTY MANAGER TO TAKE CERTAIN ACTIONS TO EXPEDITE COUNTY CONTRACTS FUNDED IN WHOLE OR IN PART WITH PROCEEDS OF CHARTER COUNTY TRANSIT SYSTEM SALES SURTAX; CORRECTING CODIFIER'S ERROR AS TO THE LIMIT OF THE MANAGER'S AUTHORITY TO SETTLE CLAIMS OR ISSUE AMENDMENTS ON EXPEDITED CONTRACTS; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE (County Manager)

*Forwarded to BCC with a favorable recommendation*

*Mover: Barreiro*

*Seconder: Moss*

*Vote: 4-0*

*Absent: Diaz, Ferguson*

**Report:** *Chairperson Moss announced that the foregoing proposed ordinance was open for public participation.*

*There being no persons to appear before the Committee, the public hearing was closed.*

*In response to Commissioner Morales' inquiry regarding the Citizens' Independent Transportation Trust (CITT) oversight of this process, Mr. Roger Hernstadt, Capital Improvements Construction Coordinator, Office of Capital Improvements Construction Coordination, noted this proposal differs from all other expedite regulations which provide special provisions to keep the CITT involved as well as the Commission right to award contracts.*

*In response to Chairperson Moss' inquiry pertaining to the business plans for Miami-Dade Transit and Office of Public Transportation Management, Assistant County Manager Bill Johnson stated staff would not move forward with the business plans until the County Manager had completed the County's financial plan. He noted there were recommendations and policy decisions made in terms of how the program would operate.*

*Mr. Hernstadt concurred with Assistant County Manager Johnson that staff would not move any project forward until all issues with MDT/OPTM Business Plan(s) were reviewed and approved by the Committee and the full Board.*

5 COUNTY ATTORNEY

## 6 CLERK OF THE BOARD

- 6A 032073 Report  
APPROVAL OF COMMISSION MINUTES RE: MAY 15, 2003 (Clerk of the Board)
- Report Received*  
*Mover: Barreiro*  
*Seconder: Morales*  
*Vote: 4-0*  
*Absent: Ferguson, Diaz*

## 7 REPORTS

- 7A 031352 Report  
MANAGER'S REPORT: STS APPLICATIONS PROCESS (County Manager)
- Report Received*  
*Mover: Morales*  
*Seconder: Moss*  
*Vote: 4-0*  
*Absent: Ferguson, Diaz*

- 7B 031962 Report  
MANAGER'S REPORT: BIKE AND RIDE PROGRAM (County Manager)
- Report Received*  
*Mover: Morales*  
*Seconder: Moss*  
*Vote: 4-0*  
*Absent: Ferguson, Diaz*

- 032788 Report  
NON-AGENDA ITEM FOR THE TRANSPORTATION COMMITTEE MEETING OF JULY 17, 2003
- Presented*

**Report:** *Mr. Daniel Fesmay, representing Miami Bus Transportation Service, appeared before the Committee and requested that he be allowed to make a five-minute presentation, in response to a question raised at a previous meeting regarding the jitney pilot services program. He noted his company has been working with the County.*

*Chairperson Moss asked that stated the Miami Bus Transportation Service's request be placed on the next Committee's meeting agenda.*

**8 ADJOURNMENT**

**Report:** *There being no further business to come before the Committee, the meeting adjourned at 5:56 p.m.*